

Questions and Answers from March 3, 2010 Workshop

1. ***What is a "yellow book" appraisal? What is a review appraisal?*** Yellow book refers to a standard that any appraisal involving federal money must satisfy. An appraiser must be qualified to complete yellow book appraisals, so make sure that the appraiser you choose has this certification. A review appraisal is what it sounds like – it is a review of the complete appraisal to get a second opinion on the value of the land. More information on yellow book standards, as well as review appraisals, can be found online at <http://www.justice.gov/enrd/land-ack/yb2001.pdf>.
2. ***Can you apply for both acquisition and development in one grant application?*** Yes, but in general, we recommend that two separate applications are filed. This maximizes the potential grant award and allows the community more time to decide what will be developed on the acquired site.
3. ***If an acquisition is more than \$500,000, does a community need to get two appraisals?*** Yes. If the land is valued at more than \$500,000, a second review appraisal is required. The grant reimbursement will be based on the lower appraised value or the purchase price, whichever is the least.
4. ***Are there a maximum number of grants that DCS will award?*** No. It depends on the grant request and Massachusetts' apportionment of funding from the National Park Service.
5. ***Do review appraisals need to be completed to yellow book standards and how many copies of the appraisal(s) are required?*** Review appraisals must be done to yellow book standards. We need only one copy of each appraisal.
6. ***If the community has an approved Open Space and Recreation Plan (OSRP) on file with DCS, does it need to include another copy with the grant application?*** No.
7. ***Will a Community Preservation Committee meeting satisfy the public meeting requirement?*** Yes.
8. ***What does it mean that an OSRP is up-to-date?*** OSRPs receive an expiration date upon review. An up-to-date OSRP means that the plan has not yet reached that date.
9. ***Is a review appraisal easier than a complete appraisal?*** A review appraisal requires less documentation than a complete appraisal.
10. ***Does a town meeting or city council vote have to take place prior to the grant application deadline?*** No, the vote can occur after the application deadline.
11. ***If a community plans on applying for both LWCF and LAND, can both the grants be referenced in one vote?*** Yes they can, but make sure to get approval from DCS before it goes to a vote to ensure that it is written correctly.
12. ***If the town meeting or city council vote occurs before the grant award, can the community go ahead and acquire the land in question?*** No. Do not begin a project until the community receives a signed contract back from DCS. Reimbursements cannot be made on projects completed prior to the signing of the contract.
13. ***Can the money raised by a community group be used and be eligible for reimbursement?*** As long as the money is donated to the community and earmarked for the grant project, then yes. Keep in mind that DCS can only reimburse on a municipal check, so the donation of funds from the community group to its community is important.
14. ***Can a single application be submitted for two contiguous parcels?*** Yes.

15. ***If the application is for two contiguous parcels and the sale of one of the parcels falls through, can the community get reimbursed for the remaining parcel?*** As long as there are two appraisals done – one for each parcel – or one appraisal specifically lists each parcel’s value, then yes. The new grant award will be based on the purchase price of the remaining parcel’s cost.
16. ***Are only design costs an eligible for reimbursement?*** No. A grant award will only be given to projects that will include construction, not just design.
17. ***Should the comment letters from the Massachusetts Historical Commission and the Natural Heritage and Endangered Species Program be sent directly to Melissa Cryan or be included in the application package?*** Either is fine. If the community receives the letters prior to the application deadline, feel free to include it in the application package. Otherwise, they can go directly to Melissa.
18. ***Where does Commonwealth Capital fit in the rating system?*** Since LWCF grants are federally funded, a Commonwealth Capital application score is not a part of the project’s rating.
19. ***At what point does DCS need the town meeting or city council vote that approves 100% of the project cost?*** Within about three months after the grant award is made.
20. ***Does the maximum of three letters of support listed in the rating system include letters from elected officials?*** Yes.
21. ***If applying for a project that is being completed in phases, must the first phase be completed before applying for the second phase?*** No, that is not necessary.
22. ***If applying for an acquisition project that will involve both conservation and recreation in the same parcel, under which category should the community apply?*** It would make the most sense to apply under recreation so that any recreation-type development that is done on the parcel will not trigger the conversion process under Section 6(f) of the LWCF Act.
23. ***If the community applies for both LAND and LWCF grants and it receives a LWCF grant before the LAND grants are announced, must the community officially withdraw?*** Since a community can receive only one grant, either the LWCF or LAND grant, if a community is awarded a LWCF grant, the LAND application for the same project will automatically be withdrawn without any action on the part of the community.
24. ***Is the appraisal reviewed by the state government or the federal government?*** Whereas the National Park Service reserves the right to review any appraisal that it wishes to, in general, the state government reviews the appraisal and vouches for its accuracy to the federal government.
25. ***How does a community apply for both the LAND grant and the LWCF grant?*** These grants are two distinct grant opportunities, so must file both a LAND application and a LWCF application. A community will file the LWCF application by the March 31, 2010 deadline. When the FY11 LAND grant round is announced, the community will complete a LAND grant application as well. This will make the community eligible for both grants, however, a community can only be awarded one grant.
26. ***Is the LWCF grant award maximum different than the LAND and PARC grants?*** The grant award maximum is \$500,000 for all three grant programs. However, the PARC grant has a minimum population threshold for towns that are applying. If a town’s population is less than 35,000, it is only eligible for up to \$50,000. The LWCF grant does not have a population requirement.

27. ***If a project involves three contiguous parcels that total to more than \$500,000, must two appraisals be completed?*** If all three parcels are included in one appraisal without any delineation of value, then yes. But if each parcel is separated out and given its own value that are all less than \$500,000, then only one appraisal is necessary.
28. ***Who are the environmental reviewers that are mentioned in the Project Description and Environmental Screening Form?*** Environmental reviewers can be members of the conservation commission, historical commission, planning board, or anyone with expertise on the assets of the property that is requesting funding.
29. ***Where can you find a sample OSRP?*** The Open Space and Recreation Planner's Workbook can be found online at http://www.mass.gov/Eoeea/docs/eea/dcs/osrp_workbook08.pdf. The workbook includes samples of each of the nine required sections.
30. ***If the LAND and PARC grants are announced in March, when will the applications be due?*** July 15, 2010.
31. ***Do all projects need to meet the requirements of the Americans with Disabilities Act?*** Yes, all projects, including conservation projects, must be accessible to the handicapped.
32. ***Is it okay if the town meeting vote for the project occurs in the fall?*** Yes, the vote can occur after the grant awards have been announced.
33. ***If the project receives approval in the upcoming spring town meeting, can the town start spending money on the project?*** If a town would like to be reimbursed for money spent on a project, no expenditures should occur until the town has received a signed contract back from DCS.
34. ***Can a purchase and sales agreement be signed saying that the purchase is dependent upon the grant award?*** Yes. What goes into the purchase and sales agreement is up to the community and the landowner.
35. ***How many copies of the application are needed?*** One original and two copies. The two copies can be two CDs.
36. ***What level of design should be completed at the time of the grant application?*** A design that is complete enough to develop a cost estimate is sufficient.
37. ***Can the OSRP be in draft form at the time of the application deadline?*** Yes.
38. ***Can closing costs be reimbursed under acquisition grants?*** Possibly.
39. ***Can the value of donated land be reimbursed?*** No.
40. ***Is there any specific type of land that would not be eligible for a grant?*** No, but this answer could change based on a specific example.
41. ***If a project will require permits, must they be filed by the application deadline?*** No, copies of the permits can be sent to Melissa after the grant deadline once they are filed.
42. ***Is a new recreation center an eligible project?*** LWCF is only for outdoor recreation, so the center must support outdoor recreation. This could be a center with bathrooms, kitchen, etc., but not a gym with basketball courts, exercise equipment, etc.